



Serial No. 10/078622

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAUM et al.

Examiner: Unknown

Serial No.: 10/078622

Group Art Unit: 3738

Filed: February 19, 2002

Docket No.: 01590.0005-US-U1

Title: STENT AND METHOD FOR DRUG DELIVERY FROM STENTS

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on

Oct 16, 2003

Iain A. McIntyre
Name

Signature

**REVOCATION AND POWER OF ATTORNEY
With Statement Under 37 C.F.R. §3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
OCT 23 2003
TECHNOLOGY CENTER R3700

Dear Sir:

Please revoke any existing Powers of Attorney, if any, and appoint the following attorneys and/or patent agents associated with the below listed customer number to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith;

Customer No. 22865

Please direct all correspondence in this case to Altera Law Group, LLC at the address indicated below:

Altera Law Group, LLC
6500 City West Parkway
Suite 100
Minneapolis, MN 55344-7704

STATEMENT UNDER 37 C.F.R. §3.73(b)

The undersigned states that Triton BioSystems, Inc. is

- ☒ the assignee of the entire right, title, and interest, or
☐ an assignee of an undivided part interest

in the patent/application identified above by virtue of either:

A. ☐ an assignment from the inventor(s) of the patent/application identified above.
The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____,
or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s) of the patent/application identified above, to
the current assignee as shown below:

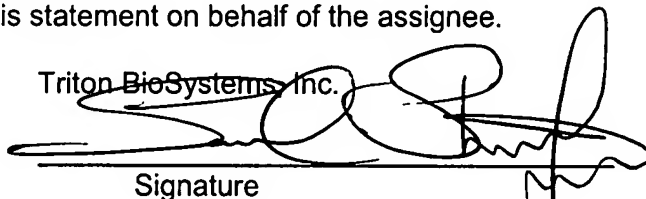
1. From: Wolfgang Daum, Monica L. B. Anderson and Rudy A. Mazzocchi To: ReStent
Therapeutics, Inc.
The document is recorded in the Patent and Trademark Office at
Reel _____, Frame _____ or for which a copy thereof is attached.
2. From: ReStent Therapeutics To: Thermonix Corporation
The document is recorded in the Patent and Trademark Office at
Reel _____, Frame _____ or for which a copy thereof is attached.
3. From: Thermonix Corporation To: Triton BioSystems, Inc.
The document is recorded in the Patent and Trademark Office at
Reel _____, Frame _____ or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned is empowered to sign this statement on behalf of the assignee.

October 2, 2003
Date

Triton BioSystems, Inc.

Signature

Samuel Straface
Typed or Printed Name

Chief Executive Officer
Title

ASSIGNMENT

Attorney Docket No.: 14005.01

Page 1 of 3

First Named Inventor: Wolfgang Daum

Title: **STENT AND METHOD FOR DRUG DELIVERY
FROM STENTS**

WHEREAS, I, Wolfgang Daum of 50 Duck Pond Drive, Groton, Massachusetts 01450; Monica L.B. Anderson of 2100 Fountain Lane, Plymouth, Minnesota 55447; and Rudy A. Mazzocchi of 241 Lansing Island Drive, Indian Harbour Beach, Florida 32937, have invented certain new and useful improvements as described in an application entitled **STENT AND METHOD FOR DRUG DELIVERY FROM STENTS** for Letters Patent of the United States, the application having been executed on even date herewith, and/or being identified in the United States Patent and Trademark Office by Application No. ____/_____, filed _____; and

WHEREAS, ReStent Therapeutics, Inc., a corporation organized and existing under the laws of the State of Delaware, and having offices at 50 Duck Pond Drive, Groton, Massachusetts 01450, ("Assignee") is desirous of acquiring the entire right, title and interest in and to the invention, the application, and any and all Letters Patent or similar legal protection, foreign or domestic, to be obtained therefore;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, I transfer to Assignee, its successors and assigns, my entire right, title, and interest in and to the invention, the above-identified patent application, corresponding domestic applications (including divisionals, continuations, and continuations-in-part), corresponding foreign applications, all Letters Patent or similar legal protection issuing thereon, and all rights and benefits under any applicable treaty or convention; and I authorize the Commissioner of Patents and Trademarks of the United States or foreign equivalent thereof to issue the Letters Patent or similar legal protection to the Assignee.

I authorize the Assignee, its successors and assigns, to insert in this instrument the filing date and application number of the application when ascertained. I authorize the Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent or similar legal protection, in its own name if desired, in any and all foreign countries.

I represent to the Assignee, its successors and assigns, that I have not and shall not execute any writing or do any act whatsoever conflicting with this Assignment. I, my executors or administrators, will at any time upon request, without additional consideration, but at the expense of the Assignee, its successors and assigns, execute such additional writings and do such additional acts as the Assignee, its successors and assigns, may deem desirable to perfect its enjoyment of this grant, and render all assistance in making application for and obtaining, maintaining, and enforcing the Letters Patent or similar legal protection on the invention in any and all countries.


ASSIGNMENT

Attorney Docket No.: 14005.01

Page 2 of 3

First Named Inventor: Wolfgang Daum

Title: **STENT AND METHOD FOR DRUG DELIVERY
FROM STENTS**



Wolfgang Daum

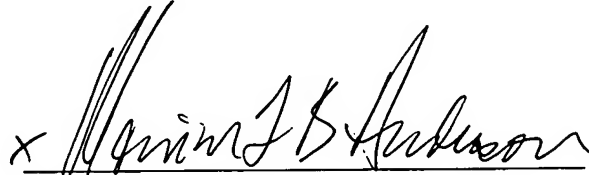
CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____)
: SS.
COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public, this ____
day of _____, 2002.

Notary Public

(SEAL)

x 

Monica L.B. Anderson

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____)
: SS.
COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public, this ____
day of _____, 2002.

Notary Public

(SEAL)

ASSIGNMENT

Attorney Docket No.: 14005.01

Page 3 of 3

First Named Inventor: Wolfgang Daum

Title: **STENT AND METHOD FOR DRUG DELIVERY
FROM STENTS**

x 
Rudy A. Mazzocchi

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____)

: SS.

COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public, this ____
day of _____, 2002.

Notary Public

(SEAL)

ASSIGNMENT

Attorney Docket No.: 14005.01

Page 1 of 3

First Named Inventor: Wolfgang Daum

Title: **STENT AND METHOD FOR DRUG DELIVERY
FROM STENTS**

WHEREAS, I, Wolfgang Daum of 50 Duck Pond Drive, Groton, Massachusetts 01450; Monica L.B. Anderson of 2100 Fountain Lane, Plymouth, Minnesota 55447; and Rudy A. Mazzocchi of 241 Lansing Island Drive, Indian Harbour Beach, Florida 32937, have invented certain new and useful improvements as described in an application entitled **STENT AND METHOD FOR DRUG DELIVERY FROM STENTS** for Letters Patent of the United States, the application having been executed on even date herewith, and/or being identified in the United States Patent and Trademark Office by Application No. ____/_____, filed _____; and

WHEREAS, ReStent Therapeutics, Inc., a corporation organized and existing under the laws of the State of Delaware, and having offices at 50 Duck Pond Drive, Groton, Massachusetts 01450, ("Assignee") is desirous of acquiring the entire right, title and interest in and to the invention, the application, and any and all Letters Patent or similar legal protection, foreign or domestic, to be obtained therefore;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, I transfer to Assignee, its successors and assigns, my entire right, title, and interest in and to the invention, the above-identified patent application, corresponding domestic applications (including divisionals, continuations, and continuations-in-part), corresponding foreign applications, all Letters Patent or similar legal protection issuing thereon, and all rights and benefits under any applicable treaty or convention; and I authorize the Commissioner of Patents and Trademarks of the United States or foreign equivalent thereof to issue the Letters Patent or similar legal protection to the Assignee.

I authorize the Assignee, its successors and assigns, to insert in this instrument the filing date and application number of the application when ascertained. I authorize the Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent or similar legal protection, in its own name if desired, in any and all foreign countries.

I represent to the Assignee, its successors and assigns, that I have not and shall not execute any writing or do any act whatsoever conflicting with this Assignment. I, my executors or administrators, will at any time upon request, without additional consideration, but at the expense of the Assignee, its successors and assigns, execute such additional writings and do such additional acts as the Assignee, its successors and assigns, may deem desirable to perfect its enjoyment of this grant, and render all assistance in making application for and obtaining, maintaining, and enforcing the Letters Patent or similar legal protection on the invention in any and all countries.


ASSIGNMENT

Attorney Docket No.: 14005.01

Page 2 of 3

First Named Inventor: Wolfgang Daum

Title: STENT AND METHOD FOR DRUG DELIVERY
FROM STENTS


Wolfgang Daum


CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____)
: SS.
COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public, this _____
day of _____, 2002.

Notary Public

(SEAL)

x 
Monica L.B. Anderson

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____)
: SS.
COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public, this _____
day of _____, 2002.

Notary Public

(SEAL)

ASSIGNMENT

Attorney Docket No.: 14005.01

Page 3 of 3

First Named Inventor: Wolfgang Daum

Title: STENT AND METHOD FOR DRUG DELIVERY
FROM STENTS

x 
Rudy A. Mazzocchi

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____)
: SS.
COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public, this _____
day of _____, 2002.

Notary Public

(SEAL)

PATENT ASSIGNMENT TO CORPORATION WORLDWIDE**WHEREAS,**

Restent Therapeutics, Inc., hereafter referred to as THE ASSIGNOR, a corporation organized under the laws of Delaware, and whose place of business is 50 Duck Pond Drive, Groton, Massachusetts, 01450, is the assignor of record for the invention entitled STENT AND METHOD FOR DRUG DELIVERY FROM STENTS; U.S. patent application number 10/078622, filed February 19, 2002;

AND, WHEREAS, Thermonix Corporation, hereafter referred to as ASSIGNEE, a corporation organized under the laws of Minnesota and whose place of business and business address is 3601 Minnesota Drive, Suite 800, Minneapolis, Minnesota 55435, is desirous of acquiring the entire right, title and interest in the same;

NOW, THEREFORE in consideration of the sum of One Dollar, the receipt whereof is acknowledged, and other good and valuable consideration, THE UNDERSIGNED hereby sells, assigns and transfers unto ASSIGNEE the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to all divisionals, continuations, continuations in part, reissues, reexaminations or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extension of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said invention including an assignment of all rights under the provision of international conventions and all Letters Patent of foreign countries which may be granted therefrom; the UNDERSIGNED hereby authorizes the Commissioner of Patents to issue any and all United States Letters Patent for the aforesaid invention to ASSIGNEE of the entire right, title and interest in and to the same, for the use of the ASSIGNEE, its successors and assigns.

THE UNDERSIGNED, hereby agrees that THE UNDERSIGNED, their executors and legal representatives will make, execute and deliver (without charge but at the expense of the ASSIGNEE) any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said ASSIGNEE, its successors and representatives all facts known to THE UNDERSIGNED relating to said invention and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable to vest the ASSIGNEE, its successors or assigns the entire right, title and interest in and to the said invention, applications, Letters Patent, rights, titles and benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

THE UNDERSIGNED represents and agrees with said Assignee its successors and assignees, that no assignment grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by THE UNDERSIGNED, and that full right to convey the same as herein expressed is possessed by THE UNDERSIGNED.

IN TESTIMONY WHEREOF, THE UNDERSIGNED has hereunto set his hand on the date indicated below.

Wolfgang Daum

Date

No Legalization Required

PATENT ASSIGNMENT TO CORPORATION WORLDWIDE

WHEREAS,

Thermonix Corporation, hereafter referred to as THE ASSIGNOR, a corporation organized under the laws of Minnesota, and whose place of business is 3601 Minnesota Drive, Suite 600, Minneapolis, Minnesota 55435, is the assignor of record for the invention entitled STENT AND METHOD FOR DRUG DELIVERY FROM STENTS; U.S. patent application number 10/078622, filed February 19, 2002;

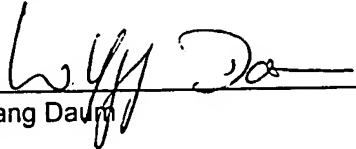
AND, WHEREAS, Triton BioSystems, Inc., hereafter referred to as ASSIGNEE, a corporation organized under the laws of Massachusetts and whose place of business and business address 200 Turnpike Road, Chelmsford, Massachusetts, 01824, is desirous of acquiring the entire right, title and interest in the same;

NOW, THEREFORE in consideration of the sum of One Dollar, the receipt whereof is acknowledged, and other good and valuable consideration, THE UNDERSIGNED hereby sells, assigns and transfers unto ASSIGNEE the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to all divisionals, continuations, continuations in part, reissues, reexaminations or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extension of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said invention including an assignment of all rights under the provision of international conventions and all Letters Patent of foreign countries which may be granted therefrom; the UNDERSIGNED hereby authorizes the Commissioner of Patents to issue any and all United States Letters Patent for the aforesaid invention to ASSIGNEE of the entire right, title and interest in and to the same, for the use of the ASSIGNEE, its successors and assigns.

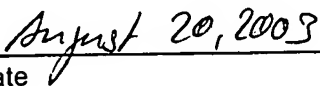
THE UNDERSIGNED, hereby agrees that THE UNDERSIGNED, their executors and legal representatives will make, execute and deliver (without charge but at the expense of the ASSIGNEE) any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said ASSIGNEE, its successors and representatives all facts known to THE UNDERSIGNED relating to said invention and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable to vest the ASSIGNEE, its successors or assigns the entire right, title and interest in and to the said invention, applications, Letters Patent, rights, titles and benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

THE UNDERSIGNED represents and agrees with said Assignee its successors and assignees, that no assignment grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by THE UNDERSIGNED, and that full right to convey the same as herein expressed is possessed by THE UNDERSIGNED.

IN TESTIMONY WHEREOF, THE UNDERSIGNED has hereunto set his hand on the date indicated below.



Wolfgang Daum



Date

No Legalization Required